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VIA U.S. Mail and FOIA online

National FOIA Program
The United States Environmental Protection Agency
1200 Pennsylvania Avenue, NW (2310A)
Washington, DC 20460

Dear FOIA Officer,

This letter serves as a request for access to public information pursuant to the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, and the U.S. Environmental Protection Agency ("USEPA") corresponding regulations at 40 C.F.R. §§ 2.100 *et seq.*

I am requesting that these records be provided to me in manner similar to how they are regularly kept in ordinary business via electronic format including any metadata associated with electronic correspondence. Please provide the information via the email address provided: roderickstahl44@gmail.com. Through this request I am seeking copies of the following records received, transmitted, or maintained by the USEPA:

1. All agency records reflecting policies on remote work from November 1, 2021, through the present. Remote work is defined as "the employee works remotely full-time and is not expected to report to the regular office or worksite on a regular and recurring basis."

2. All agency records reflecting the number of U.S. EPA employees that have applied for remote work since the institution of the November 17, 2021, EPA Order No. 3110.32A "U.S. Environmental Protection Agency Remote Work Policy" was issued.

3. All agency records reflecting the number of U.S. EPA employees within the Office of the Administrator, Office of Policy (Headquarters, Washington, D.C.) that have applied for remote work since the institution of the November 17, 2021, EPA Order No. 3110.32A "U.S. Environmental Protection Agency Remote Work Policy" was issued.

4. All agency records reflecting the number of U.S. EPA employees that have been approved for remote work since the institution of the November 17,

2021, EPA Order No. 3110.32A "U.S. Environmental Protection Agency Remote Work Policy" was issued.

5. All agency records reflecting the number of U.S. EPA employees within the Office of the Administrator, Office of Policy (Headquarters, Washington, D.C.) that have been approved for remote work since the institution of the November 17, 2021, EPA Order No. 3110.32A "U.S. Environmental Protection Agency Remote Work Policy" was issued.

6. All agency records reflecting the number of U.S. EPA employees that <u>have been denied</u> the ability to work remotely since the institution of the November 17, 2021, EPA Order No. 3110.32A "U.S. Environmental Protection Agency Remote Work Policy" was issued.

7. All agency records reflecting the number of U.S. EPA employees within the Office of the Administrator, Office of Policy (Headquarters, Washington, D.C.) that have been denied the ability to work remotely since the institution of the November 17, 2021, EPA Order No. 3110.32A "U.S. Environmental Protection Agency Remote Work Policy" was issued.

8. Any communications between the U.S. Environmental Protection Agency Chief of Staff or Deputy Chief of Staff and employees, appointees, or contractors within the Office of Policy regarding remote work.

For purposes of this FOIA request, the term "agency record" is to be given a broad interpretation. For example, agency records include, but are not limited to, electronically stored information, voicemails, government emails, text messages, calendar entries, briefing papers, and memorandum. Note that this FOIA request *is not* seeking agency records that were submitted as public comments in response to the proposed rule.

Consistent with 5 U.S.C. § 552(a)(4)(A)(ii), this request for records is not initiated for commercial use and should be limited to reasonable standard charges. However, because it is not anticipated that the routine collection of these documents shall exceed neither "two hours of search time" nor "one hundred pages of duplication" there should be *no fee charged*. 5 U.S.C. § 552(a)(4)(A)(iv)(II). Therefore, I specifically request waiver of all fees for this record request because the information is being sought for the purpose of learning how our government functions and provides protection to employees during the ongoing COVID pandemic. This information is likely to contribute significantly to public understanding of the operations and activities of the government, specifically an agency that has a mission of protecting human health and the environment. *See* § 552(a)(4)(A)(iii) and 40 C.F.R. § 2.102. Should this record request exceed $25.00, please advise me in writing prior to proceeding with the request.

Consistent with 5 U.S.C. § 552(a)(6) and 40 C.F.R. § 2.104, I request that you respond to the request no later than 20 working days from the date the request is received and logged by the appropriate FOIA Office. Also expedited processing is requested as there has been a trend of increased cases of COVID during the month of August 2022 and data on protecting workers is of vital importance. See CDC website: https://covid.cdc.gov/covid-data-tracker/#datatracker-home

Based on information and belief none of the information requested is protected by an exemption as understanding how the U.S. Environmental Protection Agency and specific offices within that administrative agency act to protect workers through remote work agreements is imperative for the public to know and serves the public interest by setting an example for good government. However, should you determine any documents responsive to the above requests will be withheld because they are exempt from disclosure please set forth, in detail, the rationale you assert for each exemption, a description of the document being withheld and a description of the content of each document withheld. It is fully understood that documents may be redacted to protect the PII of individuals that have applied for, been approved for, or been denied remote work. Redaction should not prevent release of the documents.

If you have any questions regarding this request, please contact me immediately at the address and phone number listed above. Thank you, in advance, for your assistance in supplying this information in a timely manner.

Sincerely,

Roderick Stahl